

CLASSIFICATION OFFICE DECISION

Title of publication: img 1148

Other known title(s): Not stated

OFLC ref: 1300526.006

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: New Zealand

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
------------------------	----------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 02 September 2013

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 02 September 2013

Summary of reasons for decision:

The image file printout is deemed to be objectionable because it tends to promote the exploitation of young persons for sexual purposes.

The image is an amateur photograph that shows, in close-up, the buttocks, anus and genitals of a girl in her mid-teens. The photograph records the sexual exploitation of the girl by a man who photographed her in circumstances where she was apparently rendered unable to prevent his sexual behaviour or his photographing the incident.

If the image was to be shared, along with details of the incident and the girl's identity, this dissemination would amount to further exploitation of the girl. Such an outcome would also tend to create or reinforce a sexual interest in girls in their mid-teens by suggesting that they are available for sexual use. The effect is to encourage the sexual exploitation of young and vulnerable members of society.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with

Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to limit the availability of publications that tend to promote the exploitation of young persons for sexual purposes.